

CHAPTER 3800
BOARD OF ELECTRICITY
LICENSES, INSPECTIONS, PROCEDURES

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3800.0600 [Repealed, 14 SR 518]

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3800.2200 [Repealed, 15 SR 1474]

3800.2300 [Repealed, 15 SR 1474]

3800.2400 [Repealed, 15 SR 1474]

3800.2500 [Repealed, 15 SR 1474]

3800.2600 [Repealed, 15 SR 1474]

3800.2650 UNIFORM ELECTRICAL VIOLATION CITATION.

Subpart 1. **Procedure.** The detailed form of an electrical violation citation as required by Minnesota Statutes, section 326.2461, is described in subpart 2. The citation has the effect of a summons and complaint and may be issued by a representative of the board for a violation of Minnesota Statutes, sections 326.241 to 326.248, parts 3800.0200 to 3800.2600, and ordinances of political subdivisions. The citation comprises four copies, each of a different color. The original and one copy shall be forwarded to the court having jurisdiction, one copy shall be handed or mailed to the defendant, and one copy shall be retained by the person issuing the citation.

Subp. 2. **Form of citation.**

Violations Summons

STATE OF MINNESOTA
ELECTRICITY BOARD
1821 University Avenue
St. Paul, MN 55104
Phone: 612 624-0800

STATE OF MINNESOTA
_____ COUNTY NO. _____
DISTRICT COURT

The undersigned, states and informs the court that:

On the _____ day of _____,
at _____ o'clock _____ A.M. _____ P.M. in _____

Name _____ Address Home _____

Birth Date _____ Age _____ Business _____

Location of Offense _____

Did commit the following offense _____

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In violation of (Statute, Rule, or Ordinance)_____

Against the peace and dignity of the State of Minnesota. The undersigned further states that the Board's representative had probable cause to believe, and does believe, that the person named above committed the offense described in this citation.

Court Appearance_____day of_____, at _____ A.M.
_____P.M. in Division_____

I promise to appear in said Court
at said time and at said place.

Address of Court_____

Signature of Complainant
Area Electrical
Representative

AN ARREST WARRANT WILL BE
ISSUED IF YOU FAIL TO APPEAR

Date_____

Statutory Authority: *MS s 326.241*

History: *15 SR 117; L 1998 c 254 art 1 s 107*

3800.2700 [Repealed, 14 SR 518]

3800.2800 [Repealed, 14 SR 518]

3800.2900 [Repealed, 14 SR 518]

3800.3000 [Repealed, 14 SR 518]

3800.3100 [Repealed, 14 SR 518]

3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, and parts 3800.3500 to 3800.3800, the following terms have the meanings given them.

Subp. 2. **Elevator constructor.** "Elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed by the Board of Electricity.

Subp. 3. **Employee.** "Employee" means:

A. a person whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the personal on-the-job supervision of a properly licensed employee of an electrical contractor.

Subp. 4. **Experience acceptable to the board.** "Experience acceptable to the board" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in Electrical Engineering from an accredited university or college.

Subp. 6. **Lineman.** "Lineman" means a person who has the necessary qualifications, training, experience, and technical knowledge to construct and maintain transmis-

sion and distribution systems that are or will be owned or leased by an electric utility, and who is licensed by the Board of Electricity.

Subp. 7. **Maintenance electrician.** "Maintenance electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to properly maintain and repair electrical wiring, apparatus, and equipment, who is licensed by the Board of Electricity, or who is exempt from licensing by the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. **Master elevator constructor.** "Master elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for elevators and escalators, and who is licensed by the Board of Electricity.

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. **Personal on-the-job supervision and job.**

A. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" means that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

B. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Subp. 12. **Signaling circuit.** "Signaling circuit" means an electric circuit that is used exclusively for the supply of energy to a device that gives a recognizable signal, including but not limited to door bells, digital data displays, and signal lights, and that does not supply energy to any device that controls electrical equipment other than the signaling devices.

Statutory Authority: *MS s 326.241*

History: *14 SR 518; L 2000 c 488 art 2 s 28*

3800.3510 PERMITTED WORK.

Subpart 1. **Elevator constructor.** A person licensed as an elevator constructor may install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators while in the employ of an electrical contractor.

Subp. 2. **Lineman.** A person licensed as a lineman may install, maintain, and repair transmission and distribution systems that are or will be owned or leased by an electric utility.

Subp. 3. **Maintenance electrician.** A person licensed as a maintenance electrician may maintain and repair electrical wiring, apparatus, and equipment while in the employ of an electrical contractor, or as a full-time employee of a single employer while engaged in the maintenance and repair of electrical wiring, apparatus, and equipment owned or leased by the employer and located within the limits of property owned or leased by the employer.

Subp. 4. **Master elevator constructor.** A person licensed as a master elevator constructor may, as a licensed electrical contractor or in the employ of an electrical

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contractor, plan, lay out, supervise and install, maintain, and repair wiring, apparatus, and equipment for elevators and escalators.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

Subpart 1. **Examination requirements.** As a precondition to issuance of any electrician's license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326.242, subdivision 7.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326.242, subdivision 1, clause (1), paragraph (a), and for a Class A or B installer license under Minnesota Statutes, section 326.242, subdivision 3b, an applicant for an electrician license shall have experience acceptable to the board, as defined by subpart 4, before examination for licensure under Minnesota Statutes, section 326.242, subdivision 7.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

- A. before age 12, none;
- B. before age 16, six months;
- C. in foreign countries, 12 months; and
- D. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to E.

A. Experience while in the employ of an electrical contractor licensed under Minnesota Statutes, section 326.242, subdivision 6.

B. Experience while working in Minnesota for an employer who is not required to be licensed as an electrical contractor, if the work is inspected under Minnesota Statutes, section 326.244, and done under the supervision of a properly licensed electrician.

C. Experience while performing electrical work in Minnesota for an employer who is exempt from licensing when the work is exempt from inspection under Minnesota Statutes, section 326.244, or when the work is performed on federal property by a federal employee, if the board has determined in either situation that the experience is substantially equal to that acquired in performing work while in the employ of a licensed electrical contractor. The determination shall be made after a personal inspection by not less than two board members and one staff employee of the board on the premises where the applicable work was performed.

D. Experience while performing electrical work outside of Minnesota, which the board has determined is substantially equivalent to the work performed while in the employ of a licensed electrical contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

E. Experience while performing electrical work in the armed forces of the United States which the board has determined is substantially equivalent to work performed while in the employ of a licensed electrical contractor in Minnesota. This determination shall be based on a certification by the military for the type of work performed.

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Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.** The minimum required experience and maximum experience allowance under subpart 2 shall be as shown in items A to H for the type of license sought.

A. Class A master electrician (60 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

B. Class A journeyman electrician (48 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of one month, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months; and

(10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post high school electrical course approved by the board.

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C. Master elevator constructor; the minimum total shall be 60 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

D. Elevator constructor; the minimum total shall be 36 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

E. Maintenance electrician; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

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(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months;

(10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post high school technical course approved by the board.

F. Lineman; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

G. Class A installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

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(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of 12 months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

H. Class B installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

Statutory Authority: *MS s 326.241*

History: *14 SR 518; 17 SR 139*

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to all other requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for an electrical contractor's license shall supply the telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories, the mailing address, and the street address of:

- A. each partner or venturer, if the applicant is a partnership or joint venture;
- B. the owner, if the applicant is an individual proprietorship;
- C. the corporate officers, if the applicant is a corporation;

D. each location from which the applicant's electrical contracting business is or will be conducted; and

E. the applicant's responsible master electrician.

Subp. 2. **Information required where the applicant has employees.** In addition to the requirements of subparts 1 and 3, an applicant who has or will have employees shall provide:

A. the applicant's social security account number which will be used to ensure compliance with Minnesota Statutes, section 270.72 (tax clearance; issuance of license);

B. the applicant's workers' compensation insurance account number;

C. the applicant's unemployment benefits account number;

D. the applicant's state withholding tax account number;

E. the applicant's federal withholding tax account number; and

F. upon request of the board, the names and employment records of all persons who are or will be performing electrical work for the applicant.

Subp. 3. **Applicants in states not contiguous with Minnesota.** In addition to the information required by subparts 1 and 2, if the applicant's place of doing business is not in a state contiguous with Minnesota, the applicant shall provide the street address and telephone number of the office within Minnesota from which the applicant's electrical contracting business is or will be conducted.

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the board within 30 days of any changes in the required information.

Statutory Authority: *MS s 326.241*

History: *14 SR 518; L 1997 c 66 s 80; L 1999 c 107 s 66; L 2000 c 343 s 4*

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Each contractor shall designate the responsible master electrician employed by the contractor on the application for an electrical contractor's license. The board shall not grant a new contractor's license if it appears that the responsible electrician designated is also employed in the same capacity by any other electrical contractor. In the event that more than one previously licensed electrical contractor has designated the same responsible electrician on an application for a license renewal, the board shall return the application to the contractor who shall have 15 days to resubmit an application. If upon resubmission of the license application, it still appears that the same responsible electrician has been designated by more than one contractor, the board shall institute proceedings pursuant to Minnesota Statutes, section 326.242, subdivision 9, for nonrenewal of the licenses of each contractor by whom the same responsible electrician is employed.

Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board of Electricity shall require that the owner or chief executive officer of the corporation and the master electrician provide evidence of the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act if the materials submitted in support of the application for license by the chief executive officer of the corporation and the master electrician do not indicate the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an

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electrical license is required shall submit to the Board of Electricity a certificate of employment executed by the properly licensed employee who is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326.242, subdivision 12, shall provide the Board of Electricity with a certificate of employment executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, or a master electrician license, and is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment required under this part shall immediately notify the Board of Electricity in writing of termination of employment with that employer.

Subp. 4. **Evidence of compliance.** The Board of Electricity may require that the employer or designated responsible person provide evidence of the manner in which they will comply with the Minnesota Electrical Act.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3560 ADVERTISING RESTRICTIONS.

The electrical contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES.

Any vehicle used by an electrical contractor while performing electrical work for which an electrical contractor's license is required shall have the electrical contractor's name as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3580 REVOCATION OF ANY LICENSE.

The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 and 326.2421, when the holder of a license:

A. does any of the acts specified in Minnesota Statutes, section 326.246; provided that proof of criminal conviction is not necessary for revocation, denial, or refusal to renew;

B. fails or refuses to pay any examination or license renewal fee required by law;

C. is an installer or electrical contractor or alarm and communication contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical contractor's bond or alarm and communication contractor's bond, as required by Minnesota Statutes, sections 326.242 and 326.2421; and

D. is an electrical contractor or alarm and communication contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by Minnesota Statutes, sections 326.242 and 326.2421.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

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3800.3590 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, \$35.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, \$40 a year;

(2) Class B master, \$25 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, \$15 a year; and

(4) electrical contractor and alarm and communication contractor, \$100 a year.

Subp. 3. **Prorating fees.** If a new Class A master license is issued in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a quarterly basis. The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** A license fee may not be refunded after a license is issued or renewed. However, if the fee paid for a license was not prorated in accordance with subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 of the Board of Electricity shall submit a reissuance fee of \$100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is \$3.

Statutory Authority: *MS s 326.241*

History: *14 SR 518; 15 SR 2266*

3800.3600 AUTHORITY; PURPOSE.

Parts 3800.3601 to 3800.3603 establish continuing education requirements for renewal of electrician licenses, as authorized by Minnesota Statutes, section 214.12.

Statutory Authority: *MS s 214.12; 326.241*

History: *19 SR 2221*

3800.3601 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of parts 3800.3600 to 3800.3603, the terms defined in this part have the meanings given them.

Subp. 2. **Educational program.** "Educational program" means a course, seminar, workshop, or other educational offering where interactive instruction is provided by one or more instructors, either directly or by interactive television.

Subp. 3. **Hours of instruction.** "Hours of instruction" means the time in hours allowed by the board for attending an educational program pursuant to part 3800.3602.

Subp. 4. **Electrician license.** "Electrician license" means a personal electrical license issued by the board that is required by statute or rule.

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Subp. 5. **Provider.** "Provider" means a person, partnership, corporation, limited liability company, professional association, government agency, or other entity authorized by law which provides educational programs for credit under part 3800.3602.

Statutory Authority: *MS s 214.12; 326.241*

History: *19 SR 2221*

3800.3602 REQUIREMENTS FOR RENEWAL OF ELECTRICIAN LICENSE.

Subpart 1. **License renewal.** The board shall not renew the electrician license of an applicant for renewal who has held the license for at least 24 months after May 15, 1995, unless the applicant has credit for the hours of instruction required by this part.

Subp. 2. **Hours of instruction.** Within the 24 months preceding the expiration of an electrician license, each holder of a license shall receive credit for 16 hours of instruction through one or more educational programs. Credit shall be allowed only once for any educational program in any 24-month period. Where a licensee holds more than one type of electrician license, the same credits for hours of instruction may be applied to each license.

Subp. 3. **Acceptable subjects.** At least 12 hours of instruction under subpart 2 shall be on the National Electrical Code and the remainder on the statutes and rules governing electrical installations, parts 3800.3500 to 3800.3800, and Minnesota Statutes, sections 326.241 to 326.248, or technical topics related to electrical installations and equipment.

Statutory Authority: *MS s 214.12; 326.241*

History: *19 SR 2221; L 2000 c 488 art 2 s 28*

3800.3603 CREDIT FOR INSTRUCTION.

Subpart 1. **Approval of educational programs.** To qualify for credit under part 3800.3602, educational programs shall be approved by the board. The provider shall submit an application for approval on a form provided by the board, which shall include an outline of the educational program; the number of hours of instruction provided; and the names, addresses, telephone and facsimile numbers, and qualifications of the instructors. The provider shall submit a new application for approval if the instruction provided deviates substantively from the outline previously submitted or the hours of instruction provided is changed. Applications for approval shall be received by the board at least 30 days prior to the first presentation of an educational program.

Subp. 2. **Notification of presentations.** Not less than 14 days prior to a presentation of an educational program, the provider shall notify the board in writing of the date, time, and location of the presentation.

Subp. 3. **Exception to preapproval.** Notwithstanding subparts 1 and 2, educational programs that are offered in other states and not granted prior approval according to this part shall be considered for credit if the board is provided with evidence that the educational program meets the requirements of part 3800.3602 and is approved for continuing education credit by a public authority licensing electricians in the other state.

Subp. 4. **Review of educational programs.** The board shall have authority to audit or review educational programs and presentations of educational programs for compliance with parts 3800.3600 to 3800.3603 and review the provider's records concerning persons who have attended such presentations for credit. The board shall withdraw approval of any educational program not in compliance with parts 3800.3600 to 3800.3603.

Subp. 5. **Qualifications of instructors.** All educational programs shall be conducted by instructors who have the qualifications described in at least one of the following items:

A. an electrician license and at least four years' experience in electrical inspection, supervising electrical installations, or teaching subjects within the scope of

electrical work permitted by the instructor's license. Not more than four hours of instruction credit will be allowed where the scope of the electrical work permitted by the instructor's license is less than that of the person who attended the educational program;

B. a registered or licensed electrical engineer with at least four years' experience in the design of premises electrical power systems; or

C. at least five years' practical experience in the subject being taught. Not more than four hours of instruction credit will be allowed for an educational program conducted by an instructor in this category.

Subp. 6. **Credit for teaching.** Instructors of educational programs approved under this part shall receive three hours of instruction credit for each hour of instruction allowable under subpart 1.

Subp. 7. **Report of credits earned.** Within 14 days after presentation of an educational program for credit under part 3800.3602, the provider shall provide a certificate of completion to each licensee in attendance and shall forward an attendance list to the board on a form supplied by the board. Each certificate of completion and attendance list shall include the name of the provider, date and location of the presentation, educational program identification that was provided to the board, hours of instruction or continuing education units, and the licensee's name and license number or social security number.

Statutory Authority: *MS s 214.12; 326.241*

History: *19 SR 2221*

3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.

The procedures prescribed by parts 3800.3660 to 3800.3690 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3619 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of part 3800.3620, the terms defined in this part have the meanings given them.

Subp. 2. **Labeled.** "Labeled" has the meaning given in Article 100 of the National Electrical Code.

Subp. 3. **Listed.** "Listed" has the meaning given in Article 100 of the National Electrical Code.

Subp. 4. **National Electrical Code.** "National Electrical Code" means the National Electrical Code as incorporated by reference in part 1315.0200.

Subp. 5. **Testing laboratory.** "Testing laboratory" means an electrical testing laboratory that has provided a written report to the board showing that it has the facilities listed in Section 90-6 of the National Electrical Code or that is accredited under the federal Occupational Safety and Health Administration Nationally Recognized Testing Laboratory program.

Statutory Authority: *MS s 326.241*

History: *15 SR 1842*

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

Subpart 1. **National standards.** Except as otherwise provided in subpart 2 or 3, as a condition for approval under Minnesota Statutes, section 326.243, and Section 110-2 of the National Electrical Code, all electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, and utilization equipment, used as part of, or in connection with, an electrical installation shall be listed and labeled by a testing laboratory.

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Subp. 2. Alternatives to listing and labeling. With the exception of electrical equipment of types specifically required to be listed by the National Electrical Code, the board shall accept one of the applicable methods described in item A or B as an alternative to listing and labeling.

A. Evaluation by a testing laboratory or by a registered or licensed electrical engineer who has no financial or other interest in the manufacture or sale of the equipment, provided that any deficiencies identified by the evaluation are corrected and the equipment complies with the listed requirements. A written report of the evaluation shall be submitted directly to the board, and shall state the standards that were applied in the evaluation. Evaluation reports by an electrical engineer acting independently of a testing laboratory shall also include an item-by-item comparison of the equipment with the requirements to be listed. If the board finds that the evaluation or evaluation report is incomplete or inaccurate, it retains the right to require further evidence of compliance or to reject the equipment.

Evaluations conducted according to the procedures in this item shall be considered evidence of compliance of all identical equipment produced by that manufacturer for a period of one year from the time the evaluation was completed, or until the equipment has been listed, whichever is less, provided that the manufacturer has applied for listing of the equipment, or produces fewer than 100 such units per year. Where additional identical equipment will be produced, the manufacturer shall provide the board with a written statement giving the equipment model number and agreeing that all subsequent equipment will be identical to that which was evaluated and, where the equipment has not been submitted for listing, shall also provide a written report to the board 12 months from the date of the evaluation report which lists the serial numbers of the equipment installed in Minnesota over the preceding 12 months.

Where deficiencies are identified by the initial evaluation report, those deficiencies shall be corrected for all subsequent units, the changes shall be verified by the person who performed the initial evaluation, and an amended report shall be submitted to the board. If the manufacturer deviates from the construction established by the evaluation report, the equipment shall be reevaluated and any noncomplying equipment that was sold brought into compliance.

Where the evidence of compliance is an evaluation according to this item, the manufacturer shall affix a durable permanent label to the equipment in a readily visible location, which states: "This equipment is identical to equipment that was evaluated by (name), and found to be in compliance with the requirements to be listed. A copy of the evaluation report was filed with the Minnesota State Board of Electricity on (date)."

B. Where procedures acceptable to the testing laboratory are followed, a manufacturer of unlisted equipment shall be permitted to submit the equipment to another manufacturer of similar listed equipment for evaluation, correction of noncomplying construction, and labeling.

Subp. 3. Equipment exempt from listing requirements. Equipment described in items A to E is exempt from the requirements in subparts 1 and 2.

A. Industrial machinery as defined by Section 670-2 of the National Electrical Code is not required to be listed where all electrical components of the equipment, including electrical control panels and solid-state motor controls, are in compliance with item B, C, or D, or subpart 1 or 2, and all of the machine electrical wiring is in compliance with the National Electrical Code.

B. Electrical equipment enclosed in a listed cabinet or box suitable for the environment in which it is installed, and electrically connected only to circuits supplied from listed Class 2, logic level, communications, or other circuits with maximum open circuit voltage of 30 volts rms AC, or DC, and overcurrent protection of eight amperes or less, or to any combination of such circuits, is not required to be listed, provided further that any printed wiring boards shall be of listed material and shall be permitted to be supplied from a labeled microcomputer power supply.

C. Electrical control equipment constructed according to the listed requirements and enclosed in a listed cabinet or box suitable for the environment in which it is located, where the enclosed equipment consists of eight or fewer listed components, other than wires, cables, cords, terminal assemblies, nonelectrical components, and those covered under item B, provided that the devices are not electrically connected to circuits on a printed wiring board other than those circuits covered under item B, is not required to be listed.

D. Custom-made electrical equipment or related installations that are designed and manufactured to a purchaser's specifications and are not marketed to the general public are exempt from listing and labeling requirements. Equipment or installations exempt under this item are subject to the following:

(1) they must be determined to be safe for their intended use by the manufacturer on the basis of test data which the purchaser keeps and makes available to the electrical inspection authority having jurisdiction, as required by Code of Federal Regulations, title 29, section 1910.399 (1991), for equipment or installations subject to national occupational safety and health laws; or

(2) they must be inspected by the electrical inspection authority having jurisdiction for compliance with the construction requirements of the applicable electrical standards used by electrical testing laboratories to evaluate the equipment, or the National Electrical Code. Schematic wiring diagrams, component layout diagrams, and component electrical rating information shall be provided to enable evaluation under this subitem.

E. Utilization equipment as defined by the National Electrical Code is not required to be listed if:

(1) the equipment includes eight or fewer electrical components which are listed or are exempt from listing by item B or C; and

(2) all wiring that is part of the equipment is in compliance with the National Electrical Code.

Statutory Authority: *MS s 326.241*

History: *14 SR 518; 15 SR 1842; 17 SR 139*

3800.3630 QUALIFICATIONS FOR INSPECTORS.

All inspectors for the board shall hold licenses as master or journeyman electricians under Minnesota Statutes, section 326.242, subdivision 1 or 2, and shall give bond in the amount of \$1,000 conditioned upon the faithful performance of their duties.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3640 FORMS FOR ORDERS.

Condemnation, disconnect, and correction orders shall be issued on forms prescribed by the board.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3650 SERVICE OF CORRECTION ORDER.

A correction order made pursuant to part 3800.3680 shall be served personally or by mail only upon the contractor, installer, special electrician, or owner. All other orders shall be served personally or by mail upon the property owner and electrical contractor, installer, or special electrician making the installation.

The bonding company may, in either case, also be served when deemed necessary by the board.

The power supplier shall be served any time an order requires immediate disconnection or prohibits energizing an installation.

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Service by mail is complete upon mailing, but three days shall be added to the prescribed time whenever the party served is required to do some act or entitled to respond thereto.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3660 CONDEMNATION OF HAZARDOUS INSTALLATIONS.

When an electrical inspector finds that a new installation or part of a new installation that is not energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property if it was to be energized, order, with the approval of a superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation condemned under this part is notified, the person shall promptly proceed to make the corrections cited in this condemnation order.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3670 DISCONNECTION OF HAZARDOUS INSTALLATION.

If, while making an inspection, the electrical inspector finds that a new installation that is energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation ordered disconnected under this part is notified, the person shall promptly proceed to make the corrections cited in this disconnect order.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3680 CORRECTION OF NONCOMPLYING INSTALLATIONS.

When a noncomplying installation, whether energized or not, is not proximately dangerous to human life and property the inspector shall issue a correction order, ordering the owner or contractor to make the installation comply with accepted standards of construction for safety to life and property, noting specifically what changes are required. The order of the inspector shall specify a date not less than ten nor more than 17 calendar days from the date of the order when a final inspection shall be made. If at the time of the final inspection the installation has not been brought into compliance, a condemnation or disconnect order may be issued by the inspector with the approval of a superior. If the installation was installed by any person licensed by the board, and on the date of the final inspection the licensee has not corrected the deficiencies noted in the correction order, the board may notify the licensee's statutory bonding company of the default. The board may assist the owner in retaining another person licensed and qualified to correct the deficiencies noted. When the installation is brought into compliance to the satisfaction of the inspector the correction order shall be immediately countermanded.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS.

When a request for electrical inspection has passed the 18-month expiration time and if, after the property owner and occupant have been duly notified in a form prescribed by the board, the electrical installation has not been completed or the owner

or occupant has neglected or refused to make arrangements for the electrical inspector to make a final inspection of the installation during normal business hours at a mutually agreeable time, the installation may be presumed to be hazardous, and ordered disconnected pursuant to Minnesota Statutes, section 326.244, subdivision 2, paragraphs (c) and (d), and part 3800.3670.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3700 COUNTERMAND OF CORRECTION ORDER.

A correction order of an inspector properly issued under part 3800.3680 shall be countermanded or extended by the inspector or the inspector's supervisor when the required corrections have been completed or it is determined by the inspector or the inspector's supervisor that the correction order is in error. A correction order of an inspector, properly issued under part 3800.3680, shall be extended by the inspector's supervisor when the weather, availability of materials, or other factors do not permit the work required by the correction order to be completed within the time allowed by the correction order. Any interested party may demand that an outstanding order be countermanded or extended. The demand shall be in writing and shall be addressed to the area electrical field representative. If the request to countermand an order is rejected it shall be done in writing within ten days.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3710 APPEALS TO BOARD; STAY OF ORDER.

Any person aggrieved by a condemnation or disconnect order issued under this chapter may appeal the order by filing a written notice of appeal with the board within ten days after the date the order was served upon the owner or within ten days after the order was filed with the board, whichever is later.

Upon receipt of the notice of appeal by the board the order appealed from shall not be stayed, unless countermanded by the board.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3720 CONDEMNATION OR DISCONNECT ORDER STAYED.

Upon receipt of notice of appeal by the board the order appealed from shall be stayed until final decision of the board unless the electrical installation ordered condemned is determined by the board to be seriously or proximately dangerous to life and property, and the board shall notify the property owner and the electrical contractor or installer or special electrician making the installation and also the statutory bonding company of this fact. The power supplier is also to be notified in those instances where the power supplier has been served.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3730 NOTICE TO ALL INTERESTED PARTIES SERVED WITH ORDER.

Upon receiving the notice of appeal the board shall notify all persons served with the order from which the appeal is taken. The persons may join in the hearing and give testimony in their own behalf. The board shall set the hearing date on a date not more than 14 days after receipt of the notice of appeal unless otherwise agreed by the interested parties and the board.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

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3800.3740 REQUESTS FOR NAME OF STATUTORY BONDING COMPANY.

Any political subdivision having an ordinance similar to the Minnesota Electrical Act or any aggrieved owner may obtain the name and address of the statutory bonding company of any person licensed by the board by making written request to the board for information.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3750 HEARING AND REVIEW.

Upon receipt of a notice of appeal pursuant to part 3800.3710, the appeal shall be evaluated in accordance with Minnesota Statutes, section 214.10, subdivision 2. If the procedures in Minnesota Statutes, section 214.10, subdivision 2, do not result in the resolution of the issues raised in the notice of appeal, the board shall schedule a contested case hearing in accordance with Minnesota Statutes, chapter 14.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3760 REQUEST FOR INSPECTION.

Subpart 1. **Requested inspections.** The board's inspectors or agents may inspect minor repair work at the request of the owner or person making the repairs.

Subp. 2. **Filing procedures.** At or before commencement of any electrical installation that is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the manner prescribed by the board.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3770 ROUGH-IN INSPECTION OF WIRING TO BE CONCEALED.

Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection before concealment, exclusive of Saturdays, Sundays, and holidays. In the event wiring is concealed before rough-in inspection without adequate notice having been given to the inspector, the person responsible for having enclosed the wiring shall be responsible for all costs resulting from uncovering and replacing the cover material.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3780 REQUEST FOR INSPECTION CERTIFICATES EXPIRATION.

Request for inspection certificates on installations with inspection fees of \$100 or less are void 18 months from the original filing date. A new request for inspection shall be filed on all unfinished work.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS.

On installations requiring more than six months in process of construction and in excess of \$1,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of \$500, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

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3800.3800 PAYMENT OF INSPECTION FEES.

Except as provided in part 3800.3790, all state electrical inspection fees are due and payable to the board at or before commencement of the installation and shall be forwarded with the request for electrical inspection.

All requests for electrical inspection forms and fees submitted by mail by an electrical contractor shall originate from the contractor's principal place of business. Checks issued to the board by an electrical contractor shall be drawn on accounts normally serving the contractor's principal place of business.

Pursuant to Minnesota Statutes, section 15.415, overpayment of inspection fees of less than \$5 are not refundable.

Statutory Authority: *MS s 326.241*

History: *14 SR 518*

3800.3810 [Repealed, L 2000 c 488 art 2 s 29]